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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION – LOS ANGELES**

Frankel, et al.,

Case No. 2:24-CV-4702-MCS

Plaintiffs,

**DECLARATION OF MICHAEL
BECK IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

V.

Regents of the University of California, et al.,

Defendants.

Judge: Hon. Mark C. Scarsi
Courtroom: 7C
Hearing: July 29, 2024, 9:00 AM PT

1 [Counsel continued from previous page]

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12 **Notice of Appearance forthcoming*

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1 I, MICHAEL BECK, declare as follows:

2 1. This declaration is submitted in support of Defendants' Opposition to
3 Plaintiffs' Motion for Preliminary Injunction.

4 2. I am the Administrative Vice Chancellor at the University of
5 California, Los Angeles ("UCLA"). I have been in the position since March 2016.
6 With senior management responsibility for a broad spectrum of administrative,
7 operational, and service units in UCLA Administration, I am responsible for
8 developing policy, monitoring compliance, and overseeing campus operations. I
9 have personal knowledge of the matters stated herein and, if called upon, I could
10 and would competently testify hereto.

11 3. Prior to the creation of the Office of Campus Safety on May 5, 2024,
12 the University of California, UCLA Police Department ("UCLA UCPD") reported
13 to me.

14 4. On or around April 23, 2024, members of UCLA's senior leadership,
15 including me, discussed plans for confronting a potential encampment, given the
16 appearance of encampments on other campuses around the country. The initial
17 discussions were about what steps we could take to prevent an encampment from
18 being formed on campus.

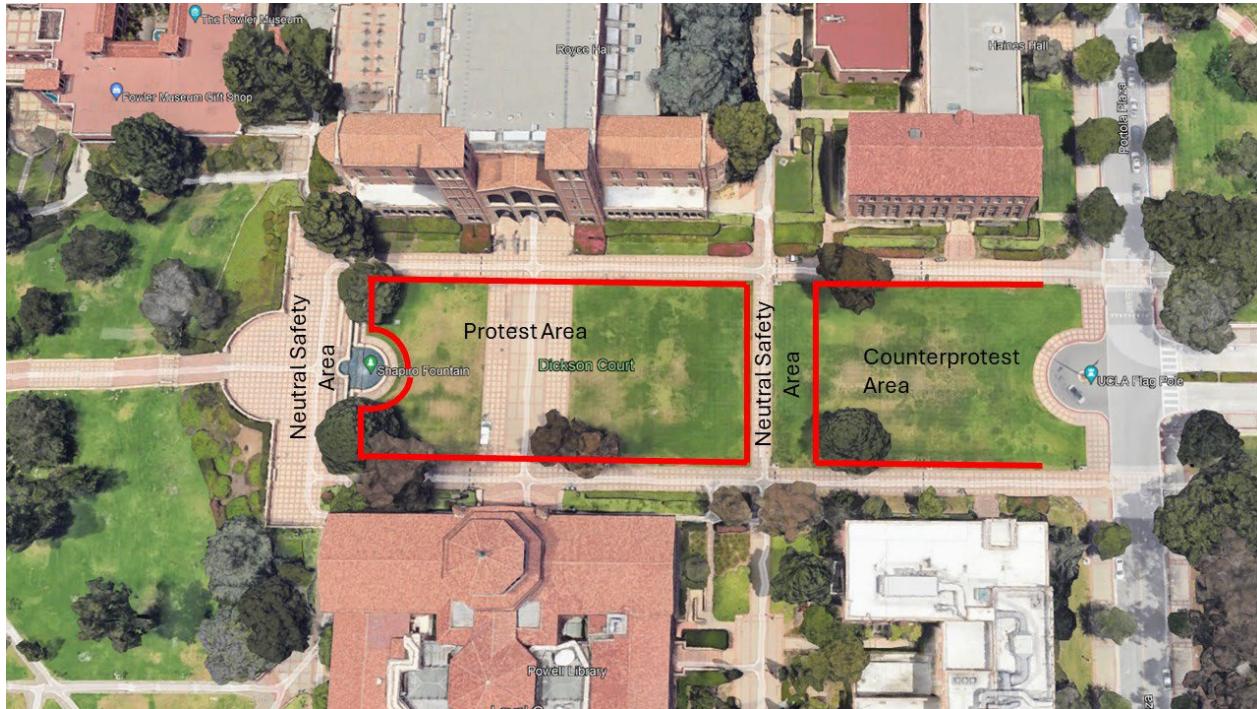
19 5. On or around April 25, 2024, students erected an encampment on
20 Royce Quad ("the Royce Quad encampment") in the middle of the night. I was
21 informed of the encampment around 4:30 a.m. Once the Royce Quad encampment
22 was up, those in senior leadership were in agreement that it needed to be removed
23 at some point. Throughout the day, we discussed several strategies for how to do
24 so, mindful of the experiences of other schools that faced similar protest activity.
25 We were aware, for example, of the events at the University of Southern California
26 ("USC"), where police dismantled the encampment immediately, only to find the
27 encampment reformed by students several days later. We were aware that other
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1 universities around the country, such as Columbia University, experienced
2 challenges with their encampments, including when they immediately called law
3 enforcement to remove them. We were also aware of other campuses where
4 encampments existed on campus without significant disruption to campus
5 operations. We wanted to avoid a situation where the encampment could “spring
6 up” again. Given these considerations, our strategy was to preserve the safety of
7 those in our campus community while we developed a plan for the encampment to
8 be peacefully and permanently removed.

9 6. The Royce Quad encampment grew as the day progressed, including
10 both students and individuals who were not affiliated with UCLA. On or around
11 the evening of April 25, 2024, we decided to install metal bike racks around the
12 encampment, with the goal of preventing conflict between those in the encampment
13 and counter-protesters and discouraging its expansion.

14 7. On or around Friday, April 26, 2024, the University permitted the
15 Israeli American Council (“IAC”) to hold on April 28, 2024 a counter-
16 demonstration on Royce Quad, in the quadrant adjacent to the encampment. On or
17 around Saturday night, April 27, 2024, in anticipation of the IAC demonstration, we
18 increased the number of metal bike racks surrounding the encampment. We
19 specifically established two “neutral zones” between the pro-Palestinian
20 encampment and the pro-Israeli counter-demonstration with the intent this would
21 maintain safety on campus and prevent the two groups from clashing with each
22 other. A map of the neutral zones is below:

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8. Our security team, which included third-party security and crowd management personnel, was instructed to prevent anyone from accessing the neutral zones. When individuals from the encampment, or counter-protestors, attempted to cross into the neutral zone between the two designated areas, our security team prevented them from entering. The exclusion of individuals from the neutral zones was not based on their viewpoint or the content of their expression.

9. The security team was also instructed to attempt to de-escalate any direct confrontations between those in the encampment and counter-protesters.

10. That same day, on April 28, 2024, after clashes broke out between demonstrators with opposing viewpoints, senior leadership decided that de-escalation was no longer working, and that the encampment needed to be removed with the assistance of law enforcement. Senior leadership asked Chief John Thomas of the UCLA UCPD to develop a plan for law enforcement to remove the Royce Quad encampment safely and quickly. The Police Department projected that due to the size of the encampment, it would take days to assemble the necessary

1 resources to remove it safely.

2 11. On or around Monday, April 29, 2024, we learned that individuals in
3 the encampment moved metal barriers and blocked certain entrances to university
4 buildings around Royce Quad, including an entrance on the western side of Powell
5 Library. When UCLA officials were made aware of these blockages, we had them
6 quickly removed, usually by our security team. Additionally, when UCLA officials
7 became aware of the blockages, guides were placed around each entrance, directing
8 students to other unblocked entrances. Students had access to campus buildings
9 despite the encampment blocking certain entrances. UCLA continued to increase
10 security presence in the area during this time.

11 12. On April 30, 2024, individuals in the Royce Quad encampment were
12 provided with written notice that the encampment was unlawful, and that they
13 should disperse. By this time, the encampment had grown to at least 500
14 individuals during the day. Before a critical mass of police could be assembled to
15 remove the encampment, assailants violently attacked the encampment that night.
16 It took several hours for law enforcement to subdue the violence. The law
17 enforcement present that night was not prepared to conduct the operation required
18 to end the encampment.

19 13. On May 1, 2024, individuals in the encampment were provided with a
20 final opportunity to leave voluntarily. More than 200 protestors refused and were
21 arrested. The Royce Quad encampment was removed by law enforcement late that
22 night into the morning of May 2, 2024.

23 14. Since the Royce Quad encampment was dismantled, we have taken
24 decisive action guided by our policies. One important guiding principle in our
25 strategy for engagement with student protestors is the Robinson-Edley Report,
26 which enumerates recommendations for responding to demonstrations and
27 managing protests. Because Robinson-Edley sets forth guidance, it is a flexible
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1 tool for managing protests on campus. Robinson-Edley distinguishes non-violent
 2 and minimally invasive civil disobedience from conduct that “significant[ly]
 3 interfere[s] with [a] campus’ academic mission” and may require police
 4 intervention.¹ “Significant interference with [a] campus’ academic mission” is a
 5 flexible standard that allows UCLA to make informed judgments based on the
 6 context of each situation.

7 15. On May 5, 2024, Chancellor Block announced a new Office of
 8 Campus Safety. Oversight and management of the UCLA UCPD was moved to the
 9 Office of Campus Safety.

10 16. I continue to work closely with Rick Braziel, the inaugural Associate
 11 Vice Chancellor for Campus Safety, on campus safety issues.

12 17. In light of the events of late April and early May involving the Royce
 13 Quad encampment, senior leadership at UCLA, including me, have concluded that
 14 protest encampments can interfere with our campus’s academic mission when they
 15 bring threats to campus safety, disrupt normal access to buildings, and result in
 16 intimidation and harassment. The Robinson-Edley guidance allows us to take swift
 17 and decisive action in the face of such threats, and that is exactly what we have
 18 done in recent months.

19 18. At UCLA, there are designated campus officials who can provide
 20 notice to affiliates and non-affiliates that, under section 626.4 and 626.6 of the
 21 California Penal Code, they are willfully disrupting the operations of the campus
 22 and that their consent to remain on campus has been withdrawn. The Code allows
 23 the individual directing the person to leave with the ability to inform them that if
 24 they reenter the campus or facility (for up to fourteen days per UCLA’s discretion),
 25 they will be guilty of a misdemeanor. Once this notice is provided, UCLA officials
 26 and law enforcement are able to remove disruptive protesters from campus, if

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28 ¹ Robinson-Edley Report, at 38.

1 necessary. On June 11, 2024, UCLA expanded the list of designated individuals
2 who can provide such notice. I am currently one of those designated individuals,
3 along with Rick Braziel, Associate Vice Chancellor for Campus Safety, Monroe
4 Gorden, Vice Chancellor of Student Affairs, and Gawin Gibson, Acting Chief of
5 the UCLA UCPD. A true and correct copy of this new policy is attached as

6 **Exhibit 1.**

7 19. I and other members of senior leadership are actively planning for
8 UCLA's upcoming fall semester. We are spending the summer recess discussing a
9 wide range of potential scenarios involving civil unrest and protest, and have been
10 developing strategies to keep our students safe and maintain a campus climate
11 suitable for our educational mission.

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 8th day of July, 2024, at Los Angeles, California.

Dated: July 8, 2024

Respectfully submitted,

By:

MICHAEL BECK